

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application: **Allan et al.**

Serial No.: **09/583,958**

Filed: **May 31, 2000**

For: **Method and System for Dynamic  
Update of an Application Monitoring  
Agent Using a Non-Polling Mechanism**

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Group Art Unit.: **2154**

Examiner: **Nguyen, Dustin**

Attorney Docket No.: **AUS920000254US1**

**Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**35525**  
PATENT TRADEMARK  
OFFICE CUSTOMER

**RENEWED PETITION UNDER 37 CFR 1.137(b)**

A letter of Dismissal of a Petition to Revive for the above-application was received by Applicant stating a grantable petition must be accompanied by:

“3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional”

Attached is a copy of the Office of Petitions letter of Dismissal of the Petition to Revive and a Declaration Under 37 CFR 1.132.

Per the attached Declaration, Applicant was unaware that the previous outside counsel was not attending to the matter. Efforts to revive the application were undertaken as soon as possible and any delay was unintentional.

In consideration of these submissions, Applicant respectfully requests that the Petition to Revive filed on October 24, 2006, be reconsidered.

No fee is believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension is required, the extension is requested, and I authorize the Commissioner to charge fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

Date: June 24, 2008

/Theodore D. Fay, III/

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